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Filing date: **02/04/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92051472
Party	Defendant Metal Storm Limited
Correspondence Address	LYNN M JORDAN FINNEGAN HENDERSON FARABOW ET AL 901 NEW YORK AVENUE NW WASHINGTON, DC 20001-4413 UNITED STATES lynn.jordan@finnegan.com, arlene.clemsic@finnegan.com, larry.white@finnegan.com, docketing@finnegan.com
Submission	Motion to Amend Registration
Filer's Name	Lynn Jordan
Filer's e-mail	docketing@finnegan.com, arlene.clemsic@finnegan.com
Signature	/lynn jordan/
Date	02/04/2013
Attachments	Motion to Amend.pdf (5 pages)(1383128 bytes)

Registration Subject to the filing

Registration No	3273127	Registration date	08/07/2007
International Registration No.	NONE	International Registration Date	NONE
Registrant	Metal Storm Limited Level 34 Central Plaza One 345 Queen Street Brisbane QLD 4000, AUSTRALIA		

Goods/Services Subject to the filing

Class 009.

Requested goods and services in the class: computer game cartridges and discs; computer game discs and computer amusement apparatus for use with televisions; electronic game amusement machines coin operated and automatic for use with televisions or computers

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THALES UK LIMITED, Petitioner, v. METAL STORM LIMITED, Registrant.	Cancellation No.: 92051472 Mark: METAL STORM Reg. No. 3273127 Issued: August 7, 2007
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MOTION TO AMEND REGISTRATION

Registrant hereby moves the Board for, and Opposer hereby stipulates to, the following amendment to the description of goods in Trademark Registration No. 3273127 for the mark METAL STORM.

Please delete the current identification of goods in International Class 9 and substitute with the following:

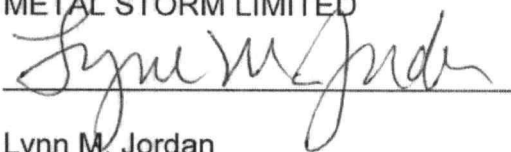
Apparatus for the recording, transmission and reproduction of sound or images, namely video cassette recorders, video cassettes, television, digital video recorders, digital video discs, blank optical discs, blank compact discs, audio cassette recorders, blank audio cassettes, telecommunications transmitters, blank audio and video tapes, cameras, microphones; photographic cameras; radio frequency jamming equipment for blocking electronic and radio signals; global positioning system consisting of computers, computer software, transmitters, receivers, and network interface devices; thermal vision systems comprised of signal transmitters and detectors; telecommunications equipment; satellite communications systems comprised of satellite receivers and transmitters and computer processing systems for processing communication information; sonar systems comprised of sonar transducers and computer processing systems for sonar signal analysis and image display; air analysis apparatus, namely, gas detectors for detecting the presence of gas in the air, air analysis apparatus for detecting and analyzing noxious gases, airborne chemicals, airborne and biological substances and other airborne life threatening particles; data processing equipment and computers for signal encryption and decryption; fire extinguishing apparatus; sound amplifiers; antiglare glasses; bullet proof vests; computer software for analyzing the performance of weapons systems, analyzing data received from transmission apparatus, analyzing frequency signals, generating terrain information, controlling weapons systems and battle field management; data processing apparatus; smoke detectors;

distance measuring apparatus and distance recording apparatus namely, odometers, pendulums, heliometers, interferometers, clinometers, pentometers, anemometers; magnetic encoded cards for security, identification and surveillance purposes; magnetic encoders; fire extinguishers; flashing lights, namely, luminous signals; non-explosive fog signals; safety gloves for protection against accidents; protective safety helmets; high-frequency apparatus namely radios, telephones, speakers, amplifiers, pagers, audio and video receivers, remote controls for radios, radio frequency controlled locks, walkie-talkies, electric converters, antennas, power supply units, wireless network systems comprised of wireless modems and satellite communication receivers and transmitters, radar transmitters and receivers, radar systems comprised of antennas; life saving apparatus and instruments, namely alarms, luminous beacons, fireboats, bullet-proof vests, signaling buoys, marking buoys, buzzers, fire beaters, fire blankets, fire engines, life jackets, life buoys, life belts, life nets, life-saving rafts, protective helmets, safety restraints, safety tarpaulins, sirens; electric monitoring apparatus, namely carbon monoxide monitors, infrared sensors and infrared sensing systems comprised of infrared transmitters and detectors, remote sensing and surveillance instruments comprised of satellite receivers and transmitters, optical sensors, spectral filters, active and passive counter measure equipment comprising signal transmitters and receivers, military intelligence data gathering and processing systems comprised of radar transmitters and receivers, laser speed detectors, metal detectors, radon detectors, ultrasonic detectors for projectiles, vehicle tracking systems comprised of signal transmitters and receivers, weapon locating systems comprising electro-optical sensors, laser warning systems comprised of laser sensors, computer processing systems for sensor signal analysis, undersea surveillance systems comprised of hydrophones, optical telemetry devices and computer processing systems for image display and analysis, oceanic depth finding systems comprised of pressure sensors, temperature sensors, electronic compasses for maritime use; observation instruments namely telescopes, optical filter discs, optical or telescopic lens sights for firearms, projectors, optical lenses, periscopes, binoculars, spotting scopes; optical apparatus namely sunglasses, eyeglasses for shooting, safety glasses, industrial safety glasses; signaling instruments, namely, safety lights and beacons; cameras; periscopes; protective safety masks, radar apparatus and sensors; audio and video receivers; reflecting discs to prevent accidents; remote control apparatus for audio visual equipment; non-medical respiratory masks; sighting telescopes for firearms; sound locating instruments; sound recording apparatus; sound transmitting apparatus; speed measuring apparatus for photography; surveying apparatus and instruments; compasses; testing apparatus not for medical purposes, namely sound level testing devices, frequency testing devices; thermometers not for medical purposes; specialised time recording apparatus, namely radio chronographs; transmitters of electronic signals

The proposed amendment is limiting in nature and thus in compliance with Trademark Rules 2.71 and 2.75. Petitioner Thales UK Limited expressly consents to the entry of the above amendment in accordance with Trademark Rule 2.133.

Respectfully submitted,

METAL STORM LIMITED

A handwritten signature in cursive script, appearing to read "Lynn M. Jordan", is written over a horizontal line.

Lynn M. Jordan
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP
901 New York Avenue, NW
Washington, DC 20001-4413

Counsel for Registrant

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing MOTION TO AMEND
REGISTRATION was served by U.S. Mail on this 4th day of February, 2013, upon
Registrant at the address set forth below.

Rod S. Berman
Jeffer Mangels
Butler & Mitchell LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067

A handwritten signature in cursive script, reading "Celene J. Clemens", is written over a horizontal line.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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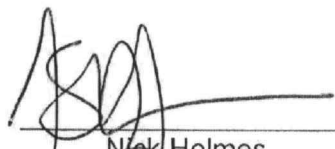
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DECLARATION UNDER 37 C.F.R. § 2.20

On September 17, 2009, Petitioner Thales UK Limited filed a Petition to Cancel Registration No. 3273127 for the mark METAL STORM. On January 29, 2013, Registrant, Metal Storm Limited, filed a Motion to Amend Registration.

The undersigned herewith submits this declaration pursuant to 37 C.F.R. § 2.20.

The undersigned, being warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of this registration, declares that he is properly authorized to make this declaration on behalf of the Registrant; all statements made herein of his own knowledge are true; and all statements made herein on information and belief are believed to be true.



Nick Holmes